Agenda for City Council Members' "NOON" Meeting Monday, November 20, 2000 Immediately Following Director's Meeting Conference Room 113

I. MINUTES

- 1. Minutes of "Noon" Council Members' Meeting for November 13, 2000.
- 2. Board of Equalization November Assessments 2000 November 13, 2000.
- 3. Pre-Council Meeting Minutes RE: Entryway Corridor Design Study November 13, 2000.

II. COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS AND CONFERENCES

- 1. Public Building Commission (Camp/Seng)
- 2. Community Development Task Force Meeting (Cook)
- 3. Wilderness Park Committee (Fortenberry)
- 4. Duplex Licensing Task Force Meeting (Johnson/McRoy)
- 5. Multicultural Advisory Committee (McRoy)
- 6. Board Of Health (Johnson) HELD OVER FROM NOVEMBER 13TH "NOON" AGENDA

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS - NONE

IV. MEETINGS/INVITATIONS

1. 2000 Holiday Mixer - The College of Business Administration, Student Advisory Board cordially invites you to a Student, Faculty, and Alumni Holiday Mixer - To be held on Tuesday, December 5, 2000 from 5:00 p.m. to 7:00 p.m. at the Wick Alumni Center - This event is an effort by the students to increase communication and relationships among students, members of the community, and the College of Business Administration - Speakers: Dean Cynthia Milligan, Allyson Friez-President of CBASAB - Hors d'oeuvres & Refreshments will be served - Business Attire - Please RSVP at 472-7773 (See Invitation).

- 2. Creating a Low-Risk Drinking Environment in Nebraska: Mobilizing Support for Policy and Practice Solutions Symposium II on Tuesday, November 28, 2000 from 8:30 a.m. to 1:30 p.m. Nebraska Union Auditorium University of Nebraska-Lincoln Fill out Registration Form and return no later than November 21, 2000 (See Invitation).
- 3. You are cordially invited to STARTRAN 2000 HOLIDAY LIGHT TOURS To be held on Friday, December 8th; Wednesday, December 13th; Friday, December 15th; Tuesday, December 19th; Thursday, December 21st; Reservations are necessary limited seating is available Please call Kitty Miller at 441-8469 to reserve your seats (See Invitation)(If you plan on attending one of these, please indicated which one you plan on attending).
- 4. The Lancaster County chapter of Mothers Against Drunk Driving will be conducting the 15th Annual Kick-Off for "Tie One On For Safety" campaign, Tuesday, November 28th at 4:30 p.m. at the new Lincoln Police Station on 27th & Holdrege Streets. Please RSVP to MADD Nebraska State Office, 434-5330 (See Invitation).

V. COUNCIL MEMBERS

VI. REQUESTS OF COUNCIL FROM MAYOR - NONE

VII. MISCELLANEOUS

1. Discussion on purchasing a scanner and the installation of Adobe Acrobat.

III. ADJOURNMENT

Minutes

City Council Members' "NOON" Meeting Monday, November 20, 2000

CONFERENCE ROOM 113

Council Members Present: Jerry Shoecraft, Chair; Jon Camp, Jonathan Cook, Cindy Johnson, Annette McRoy, Coleen Seng; ABSENT: Jeff Fortenberry, Vice-Chair.

Others Present: Ann Harrell, Mayor's Office; Dana Roper, City Attorney; Darrell Podany, Aide to Council Members Camp and Johnson; Karen Shinn, Aide to Council Member Fortenberry; Joan Ray, Council Secretary; Chris Hain, *Journal Star* representative.

I. MINUTES

- 1. Minutes of "Noon" Council Members' Meeting for November 13, 2000.
- 2. Board of Equalization November Assessments 2000 November 13, 2000.
- 3. Pre-Council Meeting Minutes RE: Entryway Corridor Design Study November 13, 2000.

Mr. Shoecraft, Council Chair, requested a motion to approve the above-listed minutes. Cindy Johnson moved approval of the minutes as presented. The motion was seconded by Coleen Seng and the minutes were approved, as presented, by the following vote: AYES: Jonathan Cook, Annette McRoy, Cindy Johnson, Jerry Shoecraft, Coleen Seng, Jon Camp; NAYS: None; ABSENT: Jeff Fortenberry.

II. COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS AND CONFERENCES

1. PUBLIC BUILDING COMMISSION (Camp/Seng) Ms. Seng reported that she had already informed Council of the most important item of business which was trying to get something done on the sound system in this conference room (Conference Room 113) so that meeting participants can hear from one end of the room to the other. She noted that the equipment discussed was called a mixer of some sort.

She continued, stating that the meeting had been very long. One of the main topics of discussion was a lease with the State of Nebraska on the State Treasurer's area in the Old Police Building. They did have a low bid [inaudible].

Ms. Seng reported that there had also been discussion on Valentino's. They're trying to figure out how to help them since they're apparently having a tough time of it. The survey indicated that people were tired of the same menu items. Ms. McRoy asked what the options were? Ms. Seng answered that PBC could go out and try to get someone else in. However, the last time it was opened up for bidding, there were no takers except Valentinos.

Mr. Camp noted that Valentino's had two years left on their lease. He stated that if they're not happy, PBC would try to work with them.

Ms. Seng commented that there had also been a fair amount of discussion on the use of Room 113. She noted that the County was terribly crowded on Thursdays when they hold there meetings here. She commented that several people had remembered that the City Council and the County Board are supposed to have the number one choice on the room use. She noted that often the County Board comes in and it's all closed off into a tiny area and they have hardly any room. Mr. Shoecraft asked if they didn't have the full room for their Thursday meetings, wondering what was scheduled on Thursdays in this room that would cause that? Ms. Seng confirmed that this was the case many times, noting that 5City TV was using half of the room for taping; but this will happen no more - the policy has been changed.

She further reported that the Children's Museum has some commissioned art work as a donation. There is a sub-committee that deals with artwork and this issue was passed on to that committee.

She reported that PBC also addressed these issues: approved the security for the maintenance room and the security screen equipment; they had discussed the heat problems in the County-City Building, and are still dealing with the people who had designed the heating system on that issue; the County is looking at more space for the jail and are again looking at closing "H" Street (referred to Public Works); and the parking study was discussed. Ms. Seng asked Mr. Camp, who is on the Parking Study Committee, to report on that discussion.

Mr. Camp reported that Mr. Jim Hille had talked about the parking study. One of the things the parking sub-committee is trying to do is look long-term for the whole complex to see what options are open to us. He noted that representatives from NEBCO were there to talk about their plans, which we're now starting to review. When they renew their lease on the parking, they want to keep it to short-term to give them flexibility. He noted that a lot of [inaudible] this part of the City has been on target, looking at what will be done both on the south and west lots. There are some solutions and answers to our long-term needs. A lot of it is going to be staging it so we don't inconvenience too many people.

Another important aspect will be how we pay for it. We don't have a lot of extra resources at this point, but it is still something that we have do. There is talk about moving across the way at the Election Commissioners parking area and taking the Election Commission Office down to be replaced with a four-story parking building which would be more economical than the two-story concept discussed previously There would be a breeze-way across 9th Street which would help with the safety concerns of people walking across. [Inaudible].

Ms. Seng commented that nobody wanted to go talk again to Jim Abel, even though she told them she remembered that during her discussions on baseball, he had said someday he'd be ready to do something about parking over on the east side of the County-City Building. She kept pressing that point and finally Don Killeen and Larry Hudkins did go and talk with him. NEBCO was there at the meeting, too so Ms. Seng felt there were still some possibilities that something can be worked out, even though they aren't quite ready...at least they know that we have some interest.

She stated that she believed for public parking, they would have to build East, because that is the front of the building complex. We can look at employee parking to west and/or south. She noted that all of these options were discussed.

Ms. Seng commented that there is a Juvenile Court judge that has no space. There is room for the courts, but not the judge. So, PBC just told Don Killeen to figure something out - either utilizing a conference room, or moving somebody. She noted that the court system is ruling the space allotments.

Ms. Johnson observed that the City really needed to pursue the night court concept if we're going to increase the number of judges, because there is a whole better way that we could end up saving money on the over-time of police officers, as well as saving wear and tear on the police officers. If they're going to continue to add judges, the night court concept might be something that should be considered - as other communities have done. Ms. Seng noted that the counties don't really have any say in it; it is coming down from the State.

Ms. Johnson answered that she had made a comment when Governor Nelson was in office, asking why we don't just do a night court? Why are we being expected to constantly "grow" the buildings so everybody has their own little space. He had answered that nobody had ever explained to them that that was an alternative. Ms. Johnson noted that no one had ever really talked about that as an alternative and she reiterated that it might be something that we could use as we grow.

Ms. Seng continued her report stating that County Records and the space needed for them was also discussed. She added that the Journal Star had been turned down for a rack in the building because nobody has a rack for any purpose other than governmental publications.

- 2. COMMUNITY DEVELOPMENT TASK FORCE (Cook) Mr. Cook reported that most of the time had been spent going over the CAPER, which is the valuation of the previous years expenditures with presentations on that. He believed everyone had received a copy of that material. He noted that also discussed at the meeting was the television meeting issue, again. He didn't know if anybody had seen the broadcasts on Channel 5, but there is now a Community Development Task Force presentation by members of the Task Force. The format is a sit-down discussion of what the Task Force does...not the actual meeting. They had decided that the meetings weren't too exciting and were held after decisions had been made, so this discussion format was thought to be something that people might stop and watch to learn what the Task Force actually does rather than just seeing a bunch of people at a meeting. He felt this was a more effective way to present the true accomplishments of the Task Force.
- 3. WILDERNESS PARK COMMITTEE (Fortenberry) Carry Over to Next Week.
- 4. DUPLEX LICENSING TASK FORCE (Johnson/McRoy) Ms. Johnson reported that they were still discussing hobby standards and all types of things. One of the things that the Task Force has realized that it is very hard for landlords when tenants vandalize, because by the time the inspection is done, there is no way of telling if it was the tenants who vandalized. Several different options were looked at regarding what [rights] landlords might have in such cases.

The Staff presented a Duplex License Report that was different from what was brought before us. They were working on it further this week and then we will discuss it again tomorrow. It was interesting that what they thought they could do is charge a \$10.00 fee to license duplexes. There would be a draft ordinance with up to five years under a sunset clause. During that five year period, the inspection fee would be \$50.00; there would be a fee for re-inspection as you come in and transfer [inaudible]. But, if you weren't getting the stuff done, it would be \$50.00 every time an inspector had to go in to make sure you were complying with standards. They wouldn't have to fire existing staff to do this. Basically, they could go more into secretarial wages to make sure that everything is documented and the paperwork is done. They see that as more of a clerical task.

The plan has potential; so everybody is taking it back to discuss with Directors and Staff. Technically, for the good landlords there would be \$60.00 over a five year period...which averages out to about \$12.00 per year to have that done. Ms. Harrell noted that when a landlord would get hit was when inspectors had to go back over and

over for re-inspection. Ms. Johnson noted that that is the whole point. If you are faced with the possibility of having to spend a lot of money on re-inspection fees and fines, you would be more likely to get the jobs done to meet compliance. Ms. Johnson thought is was a creative approach to an on-going problem. She thought it would be interesting to see how the plan progresses.

Mr. Camp asked if the Task Force had looked at similar plans for multi-plexes as this point. Ms. Johnson noted that they had not; the focus has just been duplex. What they're doing is looking for a viable plan. Nothing has been set in stone; at this point we're just throwing out ideas for consideration.

Ms. McRoy noted that the current process has been enforced pretty leniently with landlords. Instead of having to continually go out and go again and again on reinspections, it would be more efficient, in addition to the \$50.00 re-inspection fee, to shorten up the number of times we'll re-inspect before the matter is taken to court. Now we have one judge handling all of these cases. Ms. McRoy felt that another avenue to look at is to crack down on the people who are just doing enough to get by and who drag out the process. Some landlords are financially challenged who may be struggling to comply, but who are trying and we don't want to punish them; but there are others who are just playing the system - we want to stop allowing that by shortening the time allowed for compliance.

Mr. Cook asked about an increasing re-inspection fee. With each trip out to a site, the inspection fee would be increased- making a progressive fee scale. Ms. Johnson indicated that they hadn't considered that, but it was a good idea. They are in a brainstorming mode trying to come up with viable ways to get the job done without becoming a "Gestapo" operation. Ms. Harrell noted that staff was really trying hard to come up with a good plan that would accomplish the goal of effective enforcement of the Codes.

- 5. MULTICULTURAL ADVISORY COMMITTEE (McRoy) Ms. McRoy was unable to attend due to conflict of scheduling.
- 6. BOARD OF HEALTH (Johnson) *Held over from November 13th "Noon" Agenda* Ms. Johnson was out of town and was not able to attend the meeting.

OTHER MEETINGS REPORTS: - Ms. Seng reported that she and Ms. McRoy had attended a Human Services Meeting on Friday morning, and she had attended an Antelope Valley meeting as well.

Ms. McRoy reported that the Human Services meeting covered public policy. The Human Needs Assessment is advertising for a Project Manager. There will be six areas to prioritize that focus groups will work on. It seems to be going well. There will be an Advisory Group that will work with JBC and they will work with the larger community coalitions.

Ms. Seng reported that she had an Antelope Valley Meeting which was the last meeting of the Task Force. There was a celebration afterward. There had been a lot of fun times during the many years of hard work.

All of the NRD Board was in attendance and they will vote on Antelope Valley on Wednesday evening. They'll pose it to the Board of Regents

- III. APPOINTMENTS/REAPPOINTMENTS None
- IV. MEETINGS/INVITATIONS Noted Without Comment
- V. COUNCIL MEMBERS

JONATHAN COOK - No Further Comments

ANNETTE McROY - Ms. McRoy commented that someone had called her about a recommendation for a City job for which he was applying. She thought it was an odd request and noted that generally we don't make recommendations. Mr. Shoecraft stated that a letter of recommendation would be appropriate, but Council doesn't approve each hiring of personnel.

CINDY JOHNSON - No Further Comments

JERRY SHOECRAFT - No Further Comments

JEFF FORTENBERRY - Absent

COLEEN SENG - Ms. Seng reported that she had gotten in touch with Twilla Wilson who had concerns about people who did not turn their headlights on at dusk; she also wanted more green arrow turn signals; she wants the police to work more on stopping the running of red lights by City motorists. Ms. Ray explained that when Ms. Wilson had called the office, her concern had been with vagueness of ballot wording. Ms. Seng stated that she had asked Ms. Wilson specifically if she had concerns regarding that issue, but she had not...her concerns were currently focused on these three issues.

Mr. Shoecraft noted that he might be able to help with the concern regarding the running of red traffic lights. He explained that he was doing research on an ordinance enacted in Golden, Colorado that would show how they passed their legislation to do camera enforcement on red light running. What they have to do is have enabling legislation on the State level. Mr. Shoecraft had visited with the Police Department on that and noted that Chief Casady wants to pursue it. In that visit Chief Casady noted that the first step should be increasing the fines and the second step is camera enforcement. So, we have to have the enabling legislation. If we want that, we need to bring it forward as part of our Legislative Package which we will be putting together at the Retreat. We hope some senator might introduce and debate it and bring it forward for passage. That's where we stand now. We have a copy of the ordinance to mirror if we do proceed down this road.

Ms. Seng also asked if Ms. Johnson was aware that the Budget Retreat had been schedule for the 20^{th} of December. She asked if that wasn't what Council had scheduled. Ms. Johnson asked if it was in the morning? It was explained that the time was 1:00 - 5:00 p.m. on the 20^{th} of December. A location had not yet been verified, but Ms. Harrell stated that she would find out and get that information to the Council by Memo.

JON CAMP - Mr. Camp requested a discussion on sidewalks since it was coming up soon for Council consideration. He stated that he had held a lengthy talk with Jeff Stevens who had sent in information from the Washington Street address at 44th. (Council had received copies of the letter). He noted that the family had lived there for four years and there are no sidewalks on either side there. Mr. Camp reported that Public Works Director Allan Abbott had said earlier today that it made some sense on our prioritization policy...especially with limited City funds. Mr. Camp stated that in his mind, he is wondering if the City really needs all of these sidewalk installations. Maybe the City should just respond to a neighborhoods affirmative request for such installations, though he realized there were little stub sidewalks in areas that needed to be cleaned up. He indicated that he had brought this up for discussion with the hope of input from Council Members with more experience with this issue, noting that he was open to suggestions.

Ms. Johnson explained that in the past, Council has denied some of the requests for sidewalks. Some, we've passed. It just depends on who requested them or who opposes them. There are many extenuating circumstances and we look at each project; and each objection is considered separately.

Ms. Seng noted that the reason they haven't been done is probably because there has been some controversy with someone not wanting to do it.

Ms. Harrell added that Ms. Johnson was correct in stating that decisions would have to be made case by case because for whatever reason there were no sidewalk orders brought forward in the last couple of years, so there is a big pile of them coming forward this time. Council is receiving letters on just a dozen or fewer locations. So...each case will be determined separately.

Mr. Camp asked if it is as Al Imig stated - that all of these installations were being brought forward because people have requested them. Ms. Johnson noted that normally that is the case. But, the City will be assessing the homeowners to build the sidewalks. It's usually based on a request from someone. A lot of times these come from areas around schools so kids can have access to sidewalks on the way to school. In the past, if it is a school route, that has always been a priority, and sidewalks are usually put in. She reiterated that each case is unique and must be decided individually.

Ms. Harrell noted that there are also sidewalks that are ordered constructed by mayoral executive order. These usually are separated by size as much as anything with smaller pieces being done by executive order.

Mr. Cook noted that he was not particularly comfortable with using City money to pay for those sidewalks. He felt if there were a lot of priorities, it should be important enough for the City to feel justified in assessing the property owner. He did not want to set up a whole new program for funding new sidewalks. He stated that we're already way over our heads in repairing sidewalks. He did not see how we can [inaudible]

Ms. Johnson asked if that money that has been put into Urban Development for paving streets...does that include sidewalks? No one was sure. Ms. Johnson felt the Council should know that, since the sidewalk assessment could be financially difficult for some who are living on fixed incomes - especially the elderly. Ms. Harrell stated that she thought the answer was `no' at the moment, but that may be just because the question had never been asked. Ms. Johnson noted that she did not remember ever putting a sidewalk issue within that kitty. Ms. Seng commented that Council had not, but stated that perhaps it should be done.

ANN HARRELL - Ms. Harrell mentioned for those Council Members who may not have noticed it in the paper this week-end, Gina Dunning's father passed away. Ms. Harrell gave the visitation schedule to Council.

Ms. Harrell asked if Council wanted to continue the discussion about how the hearing would fall out on the Southeast Master Plan and 70th and Highway 2. We talked about it without actually making a decision. Does Council want to proceed with the hearing, or delay the hearing? Mr. Shoecraft stated that he did not want to set the Council up for two public hearings. He felt it would be nice to coordinate all this together -the subarea plan and 70th & Highway 2. He noted that Cindy had some valid questions about whether this other plan effects the 70th & Highway 2 project. Mr. Shoecraft thought that it probably doesn't; but he did not know.

Mr. Shoecraft offered his feelings that Mary Jo would do a good, quality project, and has demonstrated her plans to do that. He felt the neighbors were divided on it.

Ms. Harrell commented that the question is $\,$ - does Council want to consider the subarea plan in light of Council's decision on 70^{th} & Highway 2, or do you want to decide what your going to do at 70^{th} & Highway 2 in light of the sub-area plan? That will effect the time-frame on these projects.

Ms. Seng stated that what bothers her about changing this right now is the fact that the Planning Department did not ask the Planning Commission to hold it; so they've already had their public hearing. So, now it comes to Council and we're being asked to maybe hold it...or at least consider holding it. She felt Council should have held it earlier in the process. Ms. Harrell commented that she did not know why that didn't happen. So now, here we are and it's Council's call.

Mr. Cook commented that he agreed with that because obviously, if this was going to be considered, it should have been considered by the Planning Commission. He noted that the other thing was that the change of the 70th & Highway 2 spot to Commercial in the Comp Plan seemed like it set the stage for whatever is coming forward now. Whether that decision was right or wrong, it has been made.

Ms. Seng noted that Council made that decision several years back; and Mr. Shoecraft added that two different Councils made the same decision, stating that that was where he was coming from on the issue.

Mr. Cook stated that it makes sense that the sub-area plan would take that into consideration and we'd move forward. He stated that really, the Council's choices at this point on this particular spot are somewhat limited because it is [zoned] Commercial. It can be retail, office space, or it could be some combination. No matter what, it's going to generate a certain amount of traffic. He noted that some general traffic number is taken into consideration here. He stated that it doesn't necessarily bother him that a sub-area plan follow this at 70th & Highway 2.

Ms. Seng stated that ideally, the whole area should have the whole area plan first and then have all these pieces that come in, but that is not the way the real world works. Mr. Cook observed that ideally that Comp Plan Amendment shouldn't have been approved a couple of years ago. It should have been a part of this. Ms. Seng agreed. Mr. Shoecraft stated that the Comp Plan shouldn't have been approved by this body again, too. Mr. Cook noted that changing it back was awfully tough. Mr. Shoecraft explained that that was his point; if we were going to do something....that's why, he stated, he believes we're stuck. The previous Council did the same thing as this current Council did and it's just like whatever comes in there, comes in there because its zoned Commercial. He noted that the neighbors come in, voice their concerns, we listen and are objective. But it's already zoned Commercial. What do they think they're going to get in there that they're going to be happy with?

Nothing. It's Commercial. Mr. Cook noted that it could still be another type of zoning - it could still be Office. Or, it could be Neighborhood Commercial instead of Big Box Commercial which is a larger attractor. That's a decision we have to make. Any of those decisions are still possible at this point. The Commercial designation itself, though, is set.

Mr. Shoecraft asked then, what direction should Council give to Ms. Harrell in answer to her question? Ms. Seng stated that maybe it could be held until next week. But she thought the public hearing would have to be held. Mr. Shoecraft asked then if it was going to be fair to hold this for how long? January, February, March? Ms. Seng answered that no…it's not fair.

Mr. Shoecraft stated that Council will have to vote on this within the next couple of weeks. He stated that we cannot sit here and hold that project. We've been through so much with this project and that piece of ground. For years and years now, we've been through the loops on this. He stated that he could not hold this until January. We can hold it off for a couple of weeks...

Mr. Shoecraft stated to Ms. Harrell that she sort of got an answer. Ms. Harrell recapped the response by saying that basically, Council would go ahead with the public hearing and it is likely that you'll go ahead with the vote on schedule...unless something comes out at the hearing. Mr. Cook stated that this is the last night meeting of the year, so either we do it next week or we put it off 'til next year. Mr. Shoecraft stated that the voting can be done on December 4th. Mr. Cook stated that if you want further public hearings, the only choice is to put it off until ... a couple of months for a night meeting.

Ms. Harrell noted that there should probably be a night meeting scheduled for the subarea plan, because it will get as much attention as 70th and Highway 2 did individually. So, unless you choose at this point to make the 18th of December a night meeting, it would be the end of January. Council agreed that there would be no night meeting in December, so it would be wind up being at the end of January.

Mr. Shoecraft stated that in his opinion, the sub-area plan is going to have more of an impact and give us a better analysis on the 84th Street project than this 70th and Highway 2. It will tell us more about that project than this one.

Ms. Seng stated that she thought it would be nice if we would do the other first...in the best of all worlds. Ms. Harrell noted that we aren't dealing with the best of all worlds. Mr. Shoecraft reiterated his surprise that this did not happen that way at the Planning Commission.

DANA ROPER - No Further Comments

VI. REQUESTS OF COUNCIL FROM MAYOR - None

VII. MISCELLANEOUS -

- 1. Discussion on purchasing a scanner and the installation of Adobe Acrobat. After reviewing the informational materials submitted earlier by Staff, Council approved the purchase.
- 2. Ms. Ray asked if we've reached a point in the scheduling plans wherein, if a meeting Monday falls on a Holiday, the meeting would not be held for that week? She noted that the last Monday Holiday meeting had been cancelled. Council agreed that there would be no meetings during the weeks of December 25th and January 1st, but the final decision on that policy has not been determined and is still up for consideration.

VIII. MEETING ADJOURNED - Approximately 1:08 p.m.